

File Copy

Before the State of South Carolina  
Department of Insurance

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GENERAL COUNSEL

NOV 2 2000

In the matter of: )  
Pamela K. Elmore, )  
1720 Columbia College Drive )  
Columbia, South Columbia 29073. )  
)

Consent Order  
Revoking Insurance  
Agent's License

Investigation File Number  
104102

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Pamela K. Elmore, a licensed State of South Carolina resident insurance agent.

Elmore hereby admits, and I find as fact, that, while licensed by the Department to do business as a resident insurance agent within the State of South Carolina, Elmore provided an application for insurance to an individual not licensed to transact the business of insurance in this State. That person falsified the application and returned it to Elmore who then signed the application as verification that the proposed insured was present when the application was executed. Elmore then submitted the application to the insurer. These actions are in violation of S.C. Code Ann. Sections 38-43-130 (Supp. 1999) and can ultimately lead to revocation of her license to transact the business of insurance as a resident insurance agent in South Carolina following a public hearing at the Administrative Law Judge Division.

Rather than proceeding toward a formal public hearing, the parties agreed to submit the entire matter to me, along with the specific recommendation, for my summary decision based solely on the record. That recommendation was that Elmore would waive her right to a public hearing and would voluntarily surrender her license for revocation.

S.C. Code Ann. Section 38-43-130 provides, "The director or his designee may revoke or suspend an agent's license after ten days' notice or refuse to reissue a license when it appears that an agent has been convicted of a crime of moral turpitude, has violated this title or a regulation promulgated by the Department, or has wilfully deceived or dealt unjustly with the citizens of this State."

After a thorough review of the record, carefully considering the recommendation of the parties, and in accordance with my findings of fact, I now conclude, as a matter of law, that Elmore has willfully dealt unjustly with a citizen of this State, thereby violating S.C. Code Section 38-43-130 (Supp. 1999) and that her resident insurance agent's license should be revoked.

PJR Pamela K. Elmore

By her signature upon this Consent Order Revoking Insurance Agent's License Elmore acknowledges that she understands this administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. Sections 30-4-10, *et seq.* (1991 and Supp. 1998).

Nothing contained in this administrative disciplinary order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained in this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained in this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. Section 38-3-110 (4) (Supp. 1998), of the Director of Insurance, exercised either directly or through the Department to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is therefore, ordered that the license of Pamela K. Elmore shall, immediately, upon my date and signature upon this Consent Order Revoking Insurance Agent's License, surrender to the State of South Carolina Department of Insurance her insurance agent's license, issued to her through the State of South Carolina Department of Insurance.

It is further ordered that a copy of this consent order shall be transmitted to the National Association of Insurance Commissioners for distribution to its member states and to each insurer for which Pamela K. Elmore is currently licensed to transact business as a resident insurance agent within the State of South Carolina.

This consent order becomes effective as of the date of my signature below.



Ernst N. Csiszar  
Director

October 4, 2000 at  
Columbia, South Carolina

 Pamela K. Elmore

I Consent:

A handwritten signature in cursive script that reads "Pamela K. Elmore". The signature is written in black ink and is positioned above the printed name and address.

Pamela K. Elmore  
1720 Columbia College Drive  
Columbia, South Carolina 29203

Dated this 26 day of September 2000